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S E C R E T SECTION 01 OF 02 BAGHDAD 000540

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TAGS: ETRD EU EWWT I2 KISL MARR PREF PREL TU KU
SUBJECT: DEPUTY FOREIGN MINISTER HAMOUD ON LONG-TERM
STRATEGIC RELATIONSHIP, DIPLOMATIC ENGAGEMENT, MAKHMOUR

REFUGEE FACILITY, AND KUWAITI COOPERATION ON PORT

REF: A. ANKARA 00280 (NOTAL)
1B. BAGHDAD 00317
1C. BAGHDAD 00050
1D. LJUBLJANA 00066 (NOTAL)

Classified By: Ambassador Ryan C. Crocker for reasons 1.4
(b) and (d)

Summary

11. (C) PolMil Minister Counselor (PMMC) Marcie Ries called on Deputy Foreign Minister Hamoud February 16 to discuss preparations for negotiations on the Long-Term Strategic Relationship (LTSR), including a Status of Forces Agreement (SOFA). She used the opportunity to inquire about efforts to engage Turkey regarding the Makhmour Refugee facility (refs. A and B). Ambassador Ries also encouraged Hamoud to work in a positive way with the Kuwaitis to make progress on opening the channel that leads to the port of Umm Qasr. Hamoud outlined Iraqi goals and his hopes for cordial formal and informal discussions. He also mentioned recent and ongoing Iraqi diplomatic engagement efforts. End Summary.

LTSR

12. (C) Hamoud outlined the structure and levels of the GOI teams tasked to negotiate and approve a Strategic Framework Agreement and/or SOFA with the United States. He will lead the SOFA negotiating team, drawing on staff from the Prime Minister's Legal office, the Ministry of Interior's Legal office, Ministry of Defense, Intelligence Service (INIS) Transportation, and Human Rights. He added that Hassan al Chalabi, a Professor of International Law in Beirut, almost 90 years old, would also be approached to lend guidance. There would be two teams: the principal negotiating team and the support team. Supervising this group would be the 3 1 (Presidency Council and Prime Minister), which would in turn consult with the Political Committee on National Security (PCNS). (Note: The PCNS includes members of the principle political blocs in the Council of Representatives (COR). End Note.)

13. (C) PMMC Ries informed Hamoud that Ambassador Crocker would head the negotiating team here in Iraq while she would be responsible for managing the negotiations on a day-to-day basis. Ambassador Robert Loftis and his team would handle negotiating the details of the SOFA while the NSC's Brett McGurk would coordinate the process in Washington.

14. (C) Hamoud welcomed the news on the teams being prepared and looked forward to formally opening negotiations soon. Responding to PMMC Ries, he indicated a heavy schedule of travel until March 2, suggesting he and his team would be

ready to sit across the table on or about March 8. He added that he had been looking at several examples of SOFAs the United States has with other countries, including Japan, Korea, and the Gulf States, in preparations for negotiations.

This was useful research, he noted, but the U.S.-Iraqi agreement would have to be adapted to the unique circumstances of Iraq. Hamoud indicated that a Strategic Framework Agreement would be much broader than the SOFA, encompassing political, economic, and diplomatic content as envisioned in the Declaration of Principles signed by POTUS and PM Maliki.

Makhmour

¶ 15. (C) Hamoud told us that the GOI awaits an answer to its suggestion to the Government of Turkey (GOT) to hold a conference on the situation of the refugees at the Makhmour facility. He agreed that he should again ask the Turkish Ambassador for the GOT's reply. Regarding a proposed visit to the Makhmour facility before hosting a conference on it, Hamoud expressed willingness to go and see the situation first-hand in the company of the UNHCR. He suggested the way forward in closing the facility includes an amnesty from the GOT for many of the residents, though he acknowledged that the GOT would retain the right to agree to or refuse amnesty in individual cases. He observed that the Kurdish Regional Government is not always frank with the GOI regarding the refugee facility.

Umm Qasr

¶ 16. (C) PMMC encouraged Hamoud to engage the Government of Kuwait (GOK) to allow resumption of wreck removal to re-open

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the channel to Umm Qasr port (ref. C). Hamoud responded that talks with the GOK on land-border disputes were proceeding well, but there had been no progress on resolving the disputed maritime border. He also expressed concerns about the possibility of the Kuwaitis building a port on one of its islands that would have the effect of blocking the channel to Umm Qasr. PMMC Ries stressed the importance of getting the channel-clearing work restarted, suggesting that the sides agree to the resumption of work without prejudice to their positions on the maritime boundary. this could be accomplished via an MOU or an exchange of letters. Hamoud took the point; he said he would raise the suggestion with Minister Zebari and also discuss it with MFA's expert on border issues.

Engagement

¶ 17. (C) During the meeting, Hamoud mentioned his travel to an early February Organization of Islamic Conference (OIC) meeting in Jeddah, the February 11-12 EU-Arab League Ministerial in Malta (ref. D), and February 17-20 meetings in Tehran on border issues, and late February meetings on trade and investments in Brussels at the EU. Next month, he will travel to the 11th OIC Summit in Dakar, Senegal. He opined that the Iranian discussions would be the most taxing - "the Iranians are not easy," he said.

Comment

¶ 18. (C) Hamoud is a seasoned professional who will perform well leading negotiations as instructed by the Iraqi policymakers - if he is relieved of some of his other duties. The engagement efforts of the Ministry of Foreign Affairs (MFA) noted in para. 5 are admirable, demonstrating the broadening vision of the MFA. However, the MFA does not have a large reservoir of talent, and using Deputy Foreign Minister Hamoud for increased engagement while simultaneously

placing him at the head of the SFA/SOFA negotiating team
could undermine efforts to make quick progress on concluding
an agreement.

CROCKER